

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
MIGUEL BAUTISA, :
Plaintiff, : 20 Civ. 4676 (LGS)
:
-against- :
: ORDER
CHANEL INC., et al., :
Defendants. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on July 27, 2021, Plaintiff filed a motion to seal Exhibits 9, 10, 11 and 15 of the Declaration of Scott Simpson in opposition to Defendants' Motion for Summary Judgment (the "Motion") (Dkt. No. 81), which are materials that Defendants designated as "Confidential" pursuant to the parties' Confidentiality Stipulation and Protective Order (Dkt. No. 41). Dkt. No. 76.

WHEREAS, on August 6, 2021, Defendants filed a letter in support of the Motion. Dkt. No. 83. It is hereby

ORDERED that the Motion is **GRANTED**. Exhibits 9, 10, 11 and 15 of the Declaration of Scott Simpson at Docket No. 81 shall remain sealed. Only the parties listed in the attached Appendix will have access to Docket No. 81. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); see also *Nixon v. Warner Commc'nns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). Filing the above-referenced document

in redacted form is necessary to prevent the unauthorized dissemination of confidential business information.

The Clerk of Court is respectfully directed to close the motion at Docket No. 76.

Dated: August 6, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE



APPENDIX

Pursuant to Individual Rule I.D.3, Defendants identify below all parties and attorneys of record who should have access to the sealed documents:

| <u>Party</u> | <u>Counsel of Record</u> |
|---|---|
| Plaintiff Miguel Bautista | Scott Simpson Raya F. Saksouk Menken Simpson & Rozger LLP 80 Pine Street, 33rd Floor New York, New York 10005 Tel: (212) 509-1616 ssimpson@nyemployeelaw.com rsaksouk@nyemployeelaw.com |
| Defendants Chanel, Inc. and Julie Papaioannou | Lorie E. Almon Paul H. Galligan Mary Ahrens Vadasz Daniel I. Small Seyfarth Shaw LLP 620 Eighth Avenue New York, New York 10018 Tel: (212) 218-5291 Fax: (212) 218-5526 lalmon@seyfarth.com pgalligan@seyfarth.com mvadasz@seyfarth.com dsmall@seyfarth.com |